



Ninety-Ninth Legislature - First Session - 2005
Committee Statement
LB 734

Hearing Date: February 22, 2005

Committee On: Urban Affairs

Introducer(s): (Urban Affairs Committee)

Title: Change provisions for the election of board of trustees of sanitary and improvement districts

Roll Call Vote – Final Committee Action:

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

| | | |
|---|---------------------|--|
| 7 | Yes | Friend, Combs, Connealy, Cornett, Janssen, Landis, Schimek |
| | No | |
| | Present, not voting | |
| | Absent | |

Proponents:

Bill Stadtwald, Introducer Urban Affairs
Janet McCartney

Representing:

SID #5

Opponents:

None

Representing:

Neutral:

None

Representing:

Summary of purpose and/or changes: This act relates to sanitary and improvement districts, proposing to redefine “trust” for the purpose of permitting certain residents holding their property “in trust” to vote and be elected to the board of trustees as bona fide residents.

The provisions would be applicable to all sanitary and improvement districts.

This bill proposes to redefine the term “trust” in section 31-735, changing it from the current general term applicable to “trusts” of any form or nature to the more specific “irrevocable trust” in order to distinguish property held in a family trust or trust created for estate planning purposes from all other forms of trusts.

Under the current form of the statute, bona fide residents of the property in the SID who would otherwise qualify as residents for the purpose of voting or holding office as a “resident trustee” on the board of trustees are prohibited from doing so because their property is held in a “family” trust.

The change proposed would limit the prohibition on resident status only to property held in an irrevocable trust.

Explanation of amendments, if any: The proposed changes would conform other provisions of the statute to the change proposed.

Senator Mike Friend, Chairperson